

REQUIRES MONITORING
OR STAFF ACTION _____

COMMISSION DIRECTIVE

ADMINISTRATIVE MATTERS	<input type="checkbox"/>	DATE	<u>October 4, 2005</u>
MOTOR CARRIER MATTERS	<input type="checkbox"/>	DOCKET NO.	<u>2005-254-E</u>
UTILITIES MATTERS	<input checked="" type="checkbox"/>		_____

SUBJECT:

DOCKET NO. 2005-254-E – Petition for Hearing and Review Relating to Special Purpose Districts' Right to Municipal Power Rate – Discuss with the Commission Petition for Hearing and Review Relating to Special Purpose Districts' Right to Municipal Power Rate.

COMMISSION ACTION:

Move that the Commission grant the request of ORS and Duke Power Company to dismiss the current petition, which, upon initial review, appears to be outside the jurisdiction of the Commission. ORS has suggested that it review this matter informally with the current parties with the goal of reaching a resolution, handling it as a Consumer Services matter. Therefore, I also move that the Commission's dismissal be without prejudice so that, if the matter is not resolved, a party may then petition the Commission with a request for the parties to appear before it to argue the question of jurisdiction and any other relevant issues that may arise from ORS' review.

PRESIDING	<u>Mitchell</u>	Session:	Regular
		Time of Session	<u>2:30 PM</u>
	MOTION	YES	NO
			OTHER
CLYBURN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FLEMING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HAMILTON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
HOWARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MITCHELL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MOSELEY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
WRIGHT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

APPROVED _____

APPROVED STC 30 DAYS _____

ACCEPTED FOR FILING _____

DENIED _____

AMENDED _____

TRANSFERRED _____

SUSPENDED _____

CANCELED _____

SET FOR HEARING _____

ADVISED _____

CARRIED OVER _____

RECORDED BY SCHMIEDING